Second Member of Council.—

Special grants are given in such deserving cases.

Mr. M. Subbaiya.—

If so, why is the question of repairing the *gopuram* of the Sri Ranganathaswami temple at Seringapatam pending for many years for want of funds?

Second Member of Council.—

The matter may be mentioned to the Muzrai Commissioner.

Capt. Y. V. Ayya.—

Has it come to the notice of the Government that in the case of a certain mutt, the Head is no more and no successor has been appointed for a long time past either by the Government or by the disciples?

Second Member of Council.—

If full information is furnished, we will enquire into the matter.

Mr. P. Murugesam Pillay.—

Are all the grants to mutts and temples given out of the general revenues of the State, or from collections from any special tax?

Second Member of Council.—

That is not a supplementary question.

RESOLUTIONS.

Resolution No. 1.

Mr. B. L. Byanna moved the following resolution:—

"This Assembly recommends to the Government of His Highness the Maharaja that a mixed committee with a non-official majority for each district be immediately constituted for the purpose of making an open enquiry into the economic condition of the people in the State in respect of income per head of population, incidence of taxation, the condition of indebtedness and to determine their ability to bear the present enhanced taxation and to suggest necessary remedial measures to be adopted with a view to the economic uplift of the people at large."

In doing so he said that the average income per head was Rs. 3 in United States of America, Rs. 2-4-0 in Australia, Rs. 2-1-4 in England and Rs. 1-10-8 in Canada. As against these figures, the average income per head in India was so low as Re. 0-1-7; the position in Mysore was still worse. At the same time the incidence of taxation in this country was very high and every resettlement meant an increase of about 10 to 15 per cent in the assessment. Within the last 50 years, population had increased by 50 per cent in India, the extent of land per family had been considerably reduced, literacy had increased by only 2 per cent, indebtedness had gone up and insolvency petitions and criminal offences were on the increase. These features were an indication of the low economic position of the people. But the condition of the agriculturists was most pitiable. They had some lands of their own, but the yield from them was quite inadequate. Some of them had leased the lands to others in the hope of at least realising the land revenue due to Government; others had not at all cultivated the lands; in some cases the raiyats had borrowed money for the purchase of agricultural implements and cattle, but when the crops raised were marketed, they found that they were not in a position even to pay interest on that amount, not to speak of repayment of the principal. That was the actual condition of the raiyat. The minimum extent of land that was required for each family of average size was not available. This question was being brought up for discussion before the Assembly by way of resolutions and interpellations for many years. But all along the Government held certain views which were quite different from those of the people. Who was right or who was wrong it was very difficult to decide. At the time of re-survey operations and also census operations, information must be collected on the following lines: the average income of the people; their capacity to bear taxation; the actual incidence of taxation; their indebtedness and the help required to relieve them from it. To investigate into these matters, it was necessary to appoint a mixed committee with a non-official majority for each district. The committees must hold open enquiry and cross-examine official and non-official witnesses.

With these remarks, he requested the Government to consider the resolution sympathetically and appealed to the members to give their whole-hearted support to it.

MR. BAGAMANE DEVA GOWDA in seconding the resolution said that he had also sent up a similar resolution (No. 15)

and speaking on both the resolutions he said that the economic condition of the people was going from bad to worse and that it was high time that an economic survey of the whole State was undertaken. In other countries, such a survey was being undertaken periodically. It was very necessary to appoint a mixed committee for each district or for the whole State with a non-official majority and with some well-known economists as members.

He also added that whenever new taxes or cesses had to be levied, the consent of the Representative Assembly should be obtained even though the Government were not bound by the decision of the Assembly. That would at least give an opportunity to the members to represent their grievances to the Government.

MR. V. V. IYER moved a small amendment to the resolution and it was to *add* the words "and industrial servitude" *after* the words "indebtedness" in the main resolution and requested that the same might be accepted. He added that the economic condition of the people was going worse each day and indebtedness was on the increase. Referring to the Shimoga District, he said that the land mortgage society which was started at Shimoga last year had received already applications for loans, ranging from Rs. 2,000 to 5,000, for an aggregate sum of Rs. 1½ lakhs. At this rate, a sum of Rs. 10 to 15 lakhs would be required for the whole year. This only showed the plight in which the raiyat found himself and it was very difficult to save him from his indebtedness. Some special measures had to be taken by the Government to enable the agriculturist to tide over the difficulty and he therefore requested the Government to accept the resolution.

MR. B. L. BYANNA at this stage accepted the amendment proposed by Mr. V. V. Iyer.

In supporting the resolution, MR. HOSAKOPPA KRISHNA RAO said that this was not a new matter to the Assembly. The effects of the economic depression were being felt keenly throughout India and the conditions in Mysore were even worse than elsewhere. The main point for consideration, he said was whether the incidence of taxation in Mysore had a corresponding relation to the earning capacity of the average raiyat. His own opinion was that it was weighing very heavily upon the raiyat and unless Government came to his relief without further delay, he could not get on any longer. He regretted that though Government were promising relief for the past two years, it had not been afforded

hitherto. Both British Indian provinces like the Punjab and Indian States like Travancore had already given practical shape to their sympathy to the raiyat within the past two years. He was sorry to remark that Mysore which levied all sorts of taxes and cesses obtaining in British India did not follow their example in the matter of giving relief to the raiyats in distress.

The speaker was not very keen about having a committee to compile information about the economic condition of the people as that would only add to their library one more volume on the Economic Survey of Mysore. What was urgently needed was some practical sympathy and substantial relief and unless Government ordered a uniform remission of at least 12½ per cent of land revenue assessment in all cases, the economic condition of the people was sure to grow worse. No other concession could give as much relief as remission of land revenue. If the raiyats were paying the assessment during the past few years, they were doing so under protest because of their inability to pay. In view of the existing unprecedented economic distress in the State, he hoped that at least in connection with the forthcoming re-settlement, the pre-settlement rates would be restored. In the meanwhile, remission of assessment as suggested above was urgently called for. As the raiyats found it hard to bear the incidence of taxation as existing at present, he said that this was the proper time for the Government to go to their aid.

Continuing, the speaker said that he had no objection to the appointment of a committee as suggested in the resolution, but a more urgent need was the grant of all such remedial measures as were necessary to enable the agriculturists to tide over the present difficulty.

In further supporting the resolution, Mr. K. T. Bhashyam Aiyangar said that though Mysore had earned a good reputation in the outside world, the economic condition of its agriculturists was far from satisfactory, and it was necessary to ameliorate their condition. Though the State was maintaining several high officers, they failed to take stock of the conditions of the people and to do their duty by the people. That was why an economic survey was asked for, with a view to collecting information on the *per capita* income, expenditure, average indebtedness, incidence of taxation and things of that kind. If this was done, Government would know where exactly to apply the remedy and to what extent.

Secondly, the non-officials also would know on what lines they should progress. In one of his earliest Addresses the present Dewan had been pleased to lay down five conditions which were essential to modern village-life, *viz.*, a school, a hospital, a drinking water well, good roads and electric lights. Which of these were available in any given village would become easily ascertainable from the economic survey and the authorities could gauge from month to month the progress made in respect of each item. The villagers also might know their own deficiencies and try to apply remedies. Government were going to enact legislation for the protection of the sugar industry but they had not collected such essential information as the quantity of sugar imported from outside and the quantity produced within the State. Again, everybody was saying that Mysore was rich in its mineral wealth though nobody knew how many chrome or manganese or gold mines still awaited to be tapped and with what result. Similarly in every other department of Government a good deal of work remained to be done with a view to find out the condition of the people, the remedies afforded and the things yet to be done. An investigation as proposed would be useful in all these respects and it was therefore necessary to accept the resolution. The speaker also said that a separate Statistical Bureau should be established for the purpose of maintaining the statistics always up to date.

Mr. B. Gopalachar said that there could be no difference of opinion about the usefulness of an economic survey in the State. Because such a survey had not been conducted, the people went on representing that they could not pay all the existing taxes, while Government insisted that they should pay. He therefore supported the idea of appointing a suitable committee for conducting an exhaustive survey as it would reveal the tax-bearing capacity of the people to the Government.

Mr. T. Mariappa, speaking in support of the resolution, opined that if the country should progress rapidly, an economic survey was indispensable. In case the Government considered a committee too costly, they might at least depute two competent officers to tour round the State and compile the necessary information. It would then be possible to know the extent of the raiyats' indebtedness, their earning capacity and literacy in various areas and devise ways and means of relieving the situation as far as possible.

Mr. Mahomed Imam said that the proposed economic survey would be helpful not only to the people but also to the

Government. Very often incorrect information reached the Government about the conditions in the interior, with the result that even if the Government were inclined to help the needy raiyats, the benefit would not reach them in view of the coloured versions furnished by local officers. An economic survey would serve as an eye-opener to both the Government and the people.

MR. P. SITHARAMIAH opposed the resolution on the ground that it was unnecessary to appoint a separate committee for each district and for carrying out an elaborate survey. It would be quite enough if a sub-committee consisting of one or two non-officials of each district was asked to help the Government with any special information required. The annual administration reports of the various departments contained most of the information required for the survey which could be easily referred to for drawing up the report. Secondly, some years ago an expert committee had gone into the question of taxation in Mysore and drawn up a comprehensive report containing a lot of information. If the information contained in all those documents was consolidated and made available to the members of the Assembly, they could bring up definite questions affecting the welfare of the people and secure the necessary remedies with the help of Government.

CAPT. Y. V. AYYA remarked that it had become a hobby with some people to ask for committees to go into every question. He thought that information on the points raised in the resolution could be easily compiled from the census report and tables. Well-to-do people, for example, might not care to reveal their financial position in an open inquiry for fear that they would be assessed to income-tax. He said it would be a sheer waste of time and money to go on appointing committees and after all, no committee could gather accurate information in regard to the economic condition of the people. For these reasons, he opposed the resolution.

MR. G. CHANNAPPA also shared the above views.

MR. S. C. MALLIAH expressed himself in favour of the spirit underlying the resolution. He thought that an economic survey would serve a very useful purpose but that it could be conducted by any agency, not necessarily by a mixed committee. Everybody was agreed about the utility of the economic survey. It was necessary to collect correct statistical information about health, sanitation, education, unemployment, ratio of expenditure to income in the

villages, incidence of taxation, the return therefrom to the tax-payer, indebtedness, relief measures, etc.

MR. G. MALLANNA said that the conducting of an economic survey would not be useful unless there was an agency like the Economic Conference to constantly watch the economic position of the people and work out remedial measures. And as there was no possibility of reviving the Economic Conference or substituting it by any other similar organization in the near future, he thought that there was nothing to be gained by passing the resolution.

MESSRS. B. P. BASAPPA SETTY and H. K. MADAIYA pressed for the appointment of a special committee for the reasons already urged by the mover of the resolution and his supporters.

THE DIRECTOR OF PUBLIC INSTRUCTION, who summed up the discussion, said that the majority of the members seemed to support the idea of conducting an economic survey of the State. But there was difference of opinion as to whether it should be done by a committee or by one or two officers of Government. He said that he was inclined to agree with the view that if a committee was appointed, it would take a long time before its report could be received, besides it being very costly; and by the time its report was made available to the public, the very object with which the committee was appointed would have been lost sight of. Information in regard to the economic position of the Mysore raiyats was available in plenty and it did not look as if there was much work or need for a new committee now. All that was needed at present was perhaps a compendium of all these statistics. It might be worthwhile also to make an intensive survey of select areas or villages. If this was needed, it could well be done by a few of the university students. A separate economic survey would involve a lot of time, establishment and money.

Taking the spirit of the resolution, the Director said that Government had recognized the fact that the income of an average raiyat was very low and that his earning capacity had to be improved. It needed no committee to re-establish a well known fact like that. He pointed out that some of the members seemed to have entertained a hope that the recommendations of another committee would immediately result in a reduction of taxation. That such a result could not be achieved was evident from the fact that already more than one committee had gone into the question and sent up reports to Government and yet taxation had

not been reduced. It was necessary to remember that the expenditure of Government was mounting up. There was also a constant demand for increased grants in various directions and if these had to be granted, more money would be necessary and so the already insufficient revenue of the State could not be depleted.

This did not mean that there was no need for statistics relating to the various branches of governmental activities. As already stated, Government were getting any additional information required from time to time. Every revenue officer was, in fact, an economic inquiry officer who was submitting his reports to Government regularly. So an additional survey such as the one contemplated in the resolution would not be of much use.

On these grounds, he opposed the resolution.

MR. K. T. BHASHYAM AIYANGAR wanted either an independent inquiry throughout the State to be carried out as suggested in the resolution or that every district officer should be made to furnish full statistical information on all relevant questions within a period of one year.

In replying to the debate, MR. B. L. BYANNA referred to the observation of some of the previous speakers who opposed the resolution on the ground that statistical information was already available with Government. But that the fact was otherwise was evident from the circumstance that Government were unable readily to answer the interpellations bearing on the economic position of the raiyat.

He had no doubt that very many useful purposes would be served by compiling full information on various questions relating to the economic position of the State. Seeing that there were a series of deficit budgets during the past several years, such information would be helpful in devising steps for balancing the budget. It would also enable Government to verify whether the representatives of the people were exaggerating the conditions obtaining in their localities. By making such statistics available to the members, the number of interpellations asked in the Assembly would be considerably minimised. Above all, Government would be convinced that the best way of effecting savings in expenditure would be by means of retrenchments under establishments and salaries.

Every village was anxious to provide itself with a school, a hospital, a drinking water well, a co-operative society, roads and electric lights. But owing to economic distress there had been a set-back to all their ambitions and

efforts. The grievance of the raiyat was that while the price of agricultural produce had considerably gone down, there was no reduction in the cost of labour and manure, so that in effect the raiyat was not able even to pay his *kandayam* from all his net income.

If Government really wanted to improve the lot of the raiyat, Mr. Byanna thought that it would be possible only after acquiring a clear knowledge of the existing state of affairs. He was therefore very keen about Government ordering an economic survey, whether it be carried out by a committee or by one or two officers. With this modification, he prayed that his resolution might be accepted.

THE DEWAN explained that Government were, as far as possible, doing their best to afford relief to the raiyats. They knew the raiyats' difficulties and they were aware that the object of the resolution was praise-worthy. But the problem was not peculiar to Mysore and the solution of it depended upon world conditions. Government did not believe that a fresh inquiry, as suggested in the resolution, would result in any good to anybody; on the other hand, it would involve waste of time and money.

In the light of the Government's explanation, MR BYANNA withdrew his resolution.

Resolution No. 2.

MR. K. T. BHASHYAM AIYANGAR moved the following resolution:—

"This Assembly recommends to the Government of His Highness the Maharaja the appointment of a committee to investigate into the conditions of jail life in the State and to submit a report thereon together with recommendations for improvement therein."

In doing so, he said that the condition of the prisoners in the Central Jail at Bangalore was in every way deplorable. Firstly, about their clothes, they had to manage with one pair of trousers, one coat and a cap, and each set had to be worn for a long period of ten months. In the afternoon, when they were taken out for work in the hot sun, they perspired in those clothes; and they had to sleep with the same clothes in the night. Such an arrangement, he said, did no credit to a Model State like Mysore.

THE FIRST MEMBER OF COUNCIL said that as a result of the suggestion made at the previous session of the Legislative Council, two sets of dress had been ordered to be supplied to each prisoner.

MR. K. T. BHASHYAM AIYANGAR expressed his gratefulness for it.

He next referred to the quality of food supplied to the prisoners. There was no difference in food supplied to prisoners sentenced to hard labour and those undergoing simple imprisonment. An Indian prisoner was given nothing but ragi and soup and there was absolutely no variety in the food. Granting that many of them had committed heinous offences and deserved to be punished for them, he said that there was no justification to deprive them of the essential requirements of life, *viz.*, sufficient food and clothing.

THE DEWAN observed that he did not think anybody wanted to convert jails into places of attraction.

MR. K. T. BHASHYAM AIYANGAR replied that when a prisoner was segregated from society on account of a crime committed by him, he must for a stated time be sent to a place from which he was enabled to come back as a better man than before. Even a criminal belonged to the human race, after all, and punishment inflicted on him should be actuated by a high motive. Surely, Government were not going to kill every criminal; and after the period of his sentence he was bound to come back and live in the midst of honest and decent folk once again. Should he not be made fit for that? Where was safety of person and property, so far as peaceful citizens were concerned, if every criminal was let loose on them after a term of aimless segregation? Every prison should be made a house of correction, not merely a house of punishment. The Dewan, who had already visited western countries a number of times, must have heard of, or even seen, many well-maintained prisons, with all their furniture, lights, pictures and the like. The Bangalore Jail, on the other hand, had not even enough light and air. The life of prisoners there was dull and monotonous. For a couple of days after admission, they would feel like human beings but thereafter they were worse than animals. Their dinner equipment consisted only of a cup and a *chombu*, both made of unburnt clay. They had no more convenience for eating than a stone slab on which the ragi ball was placed, and the soup supplied was only so much as could be held in a hollow made in the ragi ball by the prisoner himself.

Bathing and sanitary arrangements were most disgusting. The latrine arrangement was defective in that, firstly, there was no manner of privacy about it; secondly, they had what was called the driage system, which was most

abominable. He urged the immediate introduction of the flushing system, especially in view of the fact that there was no scarcity of water in Bangalore. Thirdly, the number of lavatories was too small; 600 prisoners had only 5 or 6 lavatories and the time given for answering calls of nature was, in the opinion of the speaker, most inadequate.

He next referred to the nature of work extracted from them and said that it was the same for one and all—the grinding of ragi or stone cutting, without the least reference to the nature of their normal avocation.

He remarked that it was really strange that in these enlightened times, when there was so much contact between the West and the East, the Government of Mysore should not have introduced some at least of the improvements made in foreign countries, where all necessaries of life were provided to each of the convicts. There, the jail authorities were giving full work to the prisoner according to his normal avocation and after deducting one-half of the amount which would have to be paid if that work had been done by an ordinary labourer, they were remitting the rest of the money for the maintenance of the prisoner's wife and children or other dependents. There was no such thing in Mysore and so long as a prisoner was in jail, his family was bound to go abegging for earning their livelihood. He therefore urged the adoption of the western system here also. If that was done, the prisoner was sure to take more interest in his work; thereby the Government would get more work from him and earn more, and they would also be giving a maintenance to the otherwise helpless families.

Medical relief was also very inadequate even though Government could easily afford to provide better facilities.

In the next place, he regretted that the system of flogging seemed to be on the increase; so much so, that on one or two occasions, interpellations had to be brought up before the Assembly. No doubt, under the rules, the Superintendent might administer 30 stripes even to young boys; that was by itself atrocious; but what was worse was that the officials in charge seemed to think that they must administer 30 stripes. He therefore requested that the Superintendent be specially instructed to be lenient in the exercise of the disciplinary powers vested in him.

The absence of recreation or sports in the evenings was telling on the prisoners very much. It was but fair that some of these were provided for them.

He next referred to the invidious distinctions that were being made in the jails as between Indian prisoners and others. After all, these were Indian jails and there could be no reason why Indians should not be treated as well as anybody else. While Indian prisoners were not even given butter-milk, European convicts, though they might have committed murders, were provided with decent and nutritious food, a number of clothes to wear, good bedding and many other conveniences.

Speaking of the classification of prisoners, the member pointed out that the Prisons Regulation which had been introduced half a century ago, continued to be in force even at present. Both mentally strong and mentally deficient men were put together. If a mentally weak person was made to mix with a habitual criminal, he too was likely to become a hardened criminal. Similarly, it was not right to confine a technical offender along with a felon.

The parole system which was a common feature in all advanced countries had several advantages. Under that system, prisoners were allowed to visit their homes occasionally. Such visits produced a miraculous effect on the prisoner and helped to make a good citizen of him after his release.

Then there was the advisory system which was the latest experiment in America. There were standing advisory committees even for the jails at Bangalore and Mysore, but they had little or no powers. They should be empowered to recommend remission of sentences more largely in deserving cases. On these committees, Government should include some younger men also so that fresh enthusiasm might be infused into their work. Most of the existing members were too old for any real work. At present, they were agreeing in every view and decision of the Superintendent. There must also be more non-official members on the committee.

As regards the Board of Visitors, he said that their recommendations were not at all counting for much. If they received complaints from any prisoner, he would be whipped soon after the members left.

He suggested that the Board of Visitors and the Standing Advisory Committee should be combined and a really effective committee constituted.

Continuing, the speaker said that the true test of the greatness of an administrator lay in the measure of his sympathy even for the worst criminal, and there could be no greater testimony to his broad-mindedness than the fact that

he was as good to a criminal as to any other human being. This was the basic principle which prompted western administrations to maintain the jails so well as they were.

In these and other ways, jail conditions had to be altered so as to be consistent with the fair name of the State. Let the State—a model in many respects—become a model in this respect also. Let the reputation of jails in the State reach far and wide so as to induce even the highest personages among the visitors to Mysore to see those institutions.

For these reasons he requested that the Government might be pleased to accept the resolution and appoint a committee as proposed to study the existing conditions of prison life in Mysore and submit recommendations as to how best they could be improved.

MR. R. GOPALASWAMI IYER who seconded the resolution stated that there were certain misstatements and exaggerations in the remarks of the mover. He said that in every jail there was a latrine for each ward. As regards lack of privacy, he said that that was the case in every prison in India and that it had to be so for obvious reasons.

As regards flogging, he said that the Superintendent was forced to resort to it on one occasion, since certain boys convicted of political offences had misbehaved and good words had no effect on them.

As regards providing additional conveniences to prisoners, he appealed to the generous-minded members of the Assembly and to the public in general to provide them with good books and pictures, as there was already a library attached to the Bangalore jail.

In the matter of distinction made in the food given to prisoners, he said that the rules laid down that whatever food a prisoner was accustomed to in his ordinary life should be provided for him while in jail, and that accounted for the distinction made between an European and an Indian prisoner.

The speaker was of opinion that the most important and urgent reform required was the passing of the Children's Act and the appointment of lady magistrates to correct the erring lads. Seeing that the K.D.'s were being watched by the police more vigilantly of late, they were preparing their children—young boys—to take to thieving. In the Bangalore jail, for example, there were 30 boys between the ages of 10 and 16, and 20 boys were just 16 years of age. It was high time that Government organized reformatory schools on the lines of the Borstal System. He was sorry that this question was being put off by Government on the

ground that the number of juveniles did not warrant the establishment of a separate institution. Since the Mysore jail also had been abolished, the strength of the Bangalore jail had increased considerably and it had become all the more urgent to separate juveniles from adults.

He then suggested that as in the Trichinopoly Central Jail, civil prisoners ought to be kept quite aloof from criminals.

In this connection, he mentioned that the Indian Jails Committee's report had plenty of material which the proposed Mysore Committee could make use of with reference to local conditions. Besides, there were also several resolutions passed by the Lawyers' Conference and by various social organizations in the State, which could be considered by an expert body which might include former Superintendents of jails, representative non-officials and other officials interested in the question.

MR. V. V. IYER was, at this stage, permitted to move his amendment which ran as follows :—

In line 2, *add* "with a non-official majority" *after* "committee."

This amendment was accepted by the mover and the amended resolution which read as follows was then considered :—

"This Assembly recommends to the Government of His Highness the Maharaja the appointment of a committee with a non-official majority to investigate into the conditions of jail life in the State and to submit a report thereon together with recommendations for improvement therein."

MR. A. K. VENKATAVARADACHAR, referring to the mover's statement that young offenders were not given proper treatment by the police and prison authorities, suggested that under the Criminal Procedure Code, all minor first offenders be let on the bail of their parents. If they were to be treated as K.D.'s, no special concessions could be shown to them even though they be young in age. So far as professional offenders were concerned, he opposed the suggestion that any special amenities should be provided for them. After all, they were criminals and from every point of view they should take the consequences of their own actions.

MR. JATHARE NAIK also expressed himself in support of the latter idea.

At this stage, the Assembly rose for lunch and re-assembled at 3-30 p.m.

CAPT. Y. V. AYYA in further supporting the resolution observed that the very idea of giving punishment to prisoners was to make them repent for what they did, so that they might lead a better life after going out of jail. To that end it was essential to give them some scope for improvement. So, no one could accept the argument of the opposers that for the mistakes the prisoners committed they should suffer a hellish life in jail and no comforts need be given to them.

As regards food, he also pleaded that some change of items was necessary from time to time. Man loved change and resented monotony. At the same time the food given should be healthy, as otherwise they would become sickly and expenditure would have to be incurred on medical aid.

Then, after a day's hard work, they needed some recreation every evening. In addition to the organization of lectures for their benefit once a week some newspapers might be provided for such of those as were able to read, and lantern lectures on health and other topics for others.

As regards clothing, though recently one extra set was ordered to be given to them, yet soap, soap-nut powder, and oil-bath must be provided so that they might be clean and tidy.

Another most important point to be considered was that flogging must be put an end to. His Majesty the King-Emperor had been pleased to abolish it completely in the British Indian army. It was a sad commentary, he said, on the jail administration of a civilised State if young children were flogged in jails. While there was hope of bringing them round by kind words, lectures and such other methods, flogging only demoralised them.

Referring to the Board of Visitors, he also advocated a change in its constitution, and suggested that instead of old men who held conservative views about the ethics of punishment, young men with modern views should be appointed as members.

In conclusion he said that to give suggestions in these and other respects, a committee as proposed was necessary.

THE INSPECTOR-GENERAL OF PRISONS, replying, observed that some time ago the Lawyers' Conference had made some recommendations to improve jail conditions, which had been taken due note of and action was being taken on such of the suggestions as were considered practicable.

Referring to parole, he said that it was not possible to give the prisoners liberty to go home and come back whenever they wanted.

As regards clothing, orders had been passed to give one big towel and two suits in place of only one small towel and one suit.

As regards food to prisoners, he thought that members had not been correctly informed. The food given was considered physiologically good. Vegetables were being given and changed from day to day. The *dall* used was the very best that could be had. About ragi food, he said, there was no reason for any complaint as could be seen from the fact that not one prisoner had lost in weight. At a meeting of the South Indian Sciences Association, the kind of food given to prisoners came up for discussion and the delegates agreed that the food given in the jails was above criticism.

Referring to the suggestions about making better sanitary arrangements, he said that Government were quite alive to the situation, and that as soon as funds permitted the existing arrangements would be improved. He pointed out, however, that flushing closets would be too costly for the present.

As regards the separation of juvenile offenders from habitual criminals, he said that he himself had sent up recommendations to Government in the matter but they had to be deferred for the present owing to financial stringency. Further, it involved an amendment of the Criminal Procedure Code and that would take time. He assured them that as soon as conditions warranted, Government would accomplish that object.

As regards the various points of discrimination between European and Indian prisoners, he said that as in the case of Indian prisoners the facilities allowed to European prisoners were also less than they were accustomed to at home.

MR. NILGIRI G. SANJIVIAH protested against European prisoners being shown any kind of preference, merely because of their colour, so long as they committed offences in India and were confined in Indian jails.

MR. K. T. BHASHYAM AIYANGAR, in replying to the debate, observed that he was very sorry that the conditions in jails did not correspond to the rosy picture that was drawn by the Inspector-General of Prisons. The speaker regretted that the object underlying the resolution had not been appreciated at all. It was necessary to remember that no one was always infallible, and if any one committed an offence in a fit of emotion, he asked whether it was just to condemn him for ever instead of reforming him.

Whatever the explanation of the Inspector-General of Prisons in the matter of food given to prisoners, the member observed that he was sure that nothing beyond ragi balls and soup was given to Indian prisoners as a matter of daily routine. While European prisoners were given milk, bread, coffee, sugar, pickles, meat and such other things as they were accustomed to, he asked why Indian prisoners should not be given the food which they were accustomed to and why there should be any discrimination between one prisoner and another.

Regarding the increase in the weight of prisoners due to ragi food and soup, for which the Inspector-General of Prisons took credit, the speaker said that it was due not to the food given but to the fact that they were made to work very hard. But the real question for consideration was whether anything was done by which a prisoner's soul was rendered any the better. Judged by that standard, it would be no exaggeration to say that under existing conditions nine out of every ten going to jails returned worse than before, particularly those staying there for long. In conclusion, he said that to bring out the plain truth about jail conditions as well as to suggest suitable lines of improvement, a committee as suggested was absolutely necessary. He therefore requested the Government to accept the resolution.

THE SECOND MEMBER OF COUNCIL, replying on behalf of the Government, pointed out that the mover of the resolution had exaggerated certain aspects of the question under discussion. Improvement on certain lines was required, no doubt, and whatever improvements were possible were being effected as circumstances permitted; so a committee as prayed for was not necessary. For the whole State, there was only one big jail at Bangalore, and for that there were a standing Advisory Committee and a Board of Visitors. Those bodies were bringing to the notice of the authorities every difficulty experienced by those confined in the jail. For instance, the Advisory Committee went into the history of long-term prisoners in jail and recommended remission of the unexpired portion of sentences in deserving cases, and Government approved most of their recommendations. The Board of Visitors paid visits to the jail once a month, enquired of each prisoner's wants and grievances and entered in the Visitors' Book their own suggestions for improvement. So, what a fresh committee was expected to do was indeed being done by the existing committees. If the mover so desired, Government would be glad to refer the facts brought to

notice in the course of these discussions to those committees. At any rate it was not considered necessary to have another committee for covering the same ground and serving the same purpose. In these circumstances, Government could not see their way to accept the resolution.

THE DEWAN also said that the appointment of another committee would be superfluous, since all the necessary material was already available and some improvements had been effected. Sanitary arrangements required to be improved and he promised that as soon as funds permitted that too would be done. There would be no objection, however, as promised by the Second Member of Council, to refer these discussions to the Board of Visitors and the Standing Advisory Committee.

MR. K. T. BHASHYAM AIYANGAR replied that the main object of his resolution was to bring to the notice of Government the necessity to obtain an independent and exhaustive report touching upon the details of jail administration in this and in other countries as well as the broad policies on which jail administration should be based. While the existing bodies could bestow their thought on the details, they did not feel up to discussing broader questions ; even if they were not precluded from doing so, somehow, the members constituting the present Committee and Board were hesitating to discuss larger questions and make bolder recommendations.

THE DEWAN replied that Government would have no objection to refer these matters to them.

MR. K. T. BHASHYAM AIYANGAR requested that they might also be requested to furnish a full report on all the matters referred to, so that members of the Constitutional Houses as well as the general public might know all about the administration of jails in the State.

THE DEWAN agreed to this.

Thereupon, the resolution was by leave withdrawn.

Resolution No. 3.

MR. P. SUBBARAMA CHETTY moved the following resolution :—

"This Assembly recommends to the Government of His Highness the Maharaja that they may be pleased to introduce legislation for amending the Mysore District Boards Regulation, the Mysore Village Panchayets Regulation, and the Mysore City and Town Municipalities Regulations with a view to provide therein that all tanks, reservoirs, wells, roads, markets, chattrams, rest houses and other places of public

utility owned by or maintained or repaired out of the funds of the said local authorities shall be open to all classes of people irrespective of their caste, creed or colour, and that any person who obstructs the lawful use thereof shall be liable on conviction before a magistrate to pay fine not exceeding Rs. 200 or in default to undergo simple imprisonment for a period of not more than three months."

In doing so, he expressed regret that in spite of the acceptance by Government of a similar resolution in the past, the required facilities to abolish untouchability had not as yet been provided. He acknowledged the facilities created by Government for the progress of the depressed classes economically and educationally, as a result of which they were at present living somewhat better than before. But there were a number of social disabilities which they continued to suffer from. Though much headway in the direction of the abolition of untouchability had been made in Bombay and Central Provinces, nothing had been done in Mysore. For instance, the Legislative Council of Bombay had passed some years back a resolution to the effect that depressed classes should not be prevented from resorting to wells, tanks and such other places of public utility created with the funds of local bodies and that if any local body did not give effect to the resolution, its grant would be stopped. In the Central Provinces Legislative Council also, a similar resolution had been passed and was about to be given effect to. He thought that such a step could be taken here also. In fact the Government themselves had admitted in the past that untouchability should be removed, and he asked why it should not have been given effect to so far. It was indeed a sad commentary on the situation that while dogs, asses, pigs and other animals had access to public tanks, the depressed classes were denied the self same privilege. No doubt the First Member of Council had been pleased to refer to the practical sympathy of the Government in the matter and quoted the example of the tank at Kommerahalli which had been thrown open to the depressed classes. But instead of passing an order in the case of each tank individually, the speaker thought it would be better if a general order was issued. Such special orders in respect of individual tanks would naturally give room for varying interpretations. In fact, in one instance, the depressed classes had been asked to go to courts to establish their right to use a tank. In other words there was wide divergence as between the promises of Government on the floor of the Assembly in favour of the depressed classes and the orders issued by their own local officers, and the promises of Government were not

at all taking effect. Unless a general order was passed such individual promises were bound to go unfulfilled, especially in view of the fact that custom had the force of law and was recognised by courts unless it was definitely set at nought. Hence legislation was necessary. He added that the question of temple entry which was a somewhat complicated issue was specifically excluded from the resolution and so the resolution was quite non-controversial. In these circumstances, he requested the Government to accept it.

MR. D. S. MALLAPPA, in seconding the resolution wholeheartedly, observed that it did not require to be explained at length as the mover himself had covered all the ground. The resolution did not refer to temples but only to wells, tanks, reservoirs, roads, markets, etc. He pointed out that the movement in favour of abolition of untouchability was making rapid strides in other parts of India and everywhere sympathy was being shown to the Harijans. Since the resolution was non-controversial he requested the Government to accept it and make the necessary amendments to the regulations in force.

At this stage, MR. V. V. IYER moved the following amendment:—

In line 4, *delete* the word "and," insert a comma in its place and *add* "and Minor" after the word "Town."

The mover of the resolution accepted the amendment and further discussions related to the resolution as amended.

MR. R. GOPALASWAMI IYER also supporting the resolution observed that sentiment and tradition should stand the test of honest criticism and it was good grace to change for the better when *reason*, not religion, dictated it. He pointed out that the word "tank" usually meant a Government tank over which the local bodies had no jurisdiction. So even if Government conceded the right of the Harijans to use all the tanks, that would not entitle them to use even one tank over which local bodies had jurisdiction. Hence to implement the opinion of the Government about the abolition of untouchability, all Local Boards Regulations would have to be amended. But there were difficulties in the way. For instance, the Amildar of the T.-Narsipur Taluk had clearly refused to recognise the right of the depressed classes to the Kyathanur tank though the Deputy Commissioner had ordered that there was no objection to all people, irrespective of caste, taking water from all Government irrigation tanks. The Amildar's contention was that it was not an *irrigation* tank but only a *drinking water* tank. In Komerahalli also there

was the same trouble. So also in Bhuvalli in Hassan District. He therefore requested Government to issue a general executive order that depressed classes could take water from *all* tanks.

THE SECOND MEMBER OF COUNCIL replied that the technical difficulties pointed out did not arise in all cases.

THE DEWAN added that while at present a Deputy Commissioner could permit the depressed classes to use water from all tanks, the law courts would have to step in if legislation was enacted. He was not quite sure if the purpose would be served better by introducing that change. On the contrary, legislation for the abolition of untouchability would do more harm than good to the depressed classes. It would be easier to achieve the object in view by propaganda, persuasion and education. After all, progress could not be secured all on a sudden, and it was necessary to remember that before any material change came about, the habits of the people concerned should improve. Mere legislation could not do everything.

MR. S. VENKATASWAMY GOWDA represented that the statement that depressed classes were not being allowed to use water from tanks was incorrrect, and the difficulties complained of were merely imaginary.

MR. V. VENKATAVARADACHAR pointed out that those asking for the abolition of untouchability forgot that untouchability existed amongst the depressed classes themselves. As between Holeyas and Madigas there were lots of differences and there was no likelihood of these getting patched up for ages to come. Secondly, even if the depressed classes were invited, they were not at all prepared to come forward, mix with others, or use water from Government tanks. They actually feared, in their own villages, to enter localities other than their own. They had their own sentimental objections to do so. Of course in some places there might be difficulty in regard to wells but that could be got over by providing separate wells for them. But it was no good to force other communities against their own convictions to eat and drink with the depressed classes, bidding good-bye to all traditions and considerations of caste and religion.

MR. S. RAMAPPA, opposing the resolution, observed that although the object of the mover was praiseworthy, the resolution as worded was unacceptable. The words "other places of public utility" were too general and included temples, mosques and such other places even though these were not specifically mentioned in the resolution. So the

resolution was only seeking to introduce the thin end of the wedge and, if passed, was certain to create serious complications. Legislation was uncalled for in social matters. These should be left to adjust themselves without Government interference. That was happening everywhere already; in fact there was nothing like untouchability. Everywhere public roads and reservoirs were being used by the depressed classes also. At such a time, the introduction of a penal legislation would do more harm than good.

Khan Bahadur MAHOMED ABBAS KHAN pointed out that even under the existing Local Boards Regulations there was nothing to prevent the depressed classes from using all places of public utility. He did not think that a separate legislation was necessary.

THE DEWAN enquired why, in such circumstances, legislation was considered necessary by the mover and his supporters.

MR. P. SUBBARAMA CHETTY replied that objection would be taken in the name of *mamool* which had the force of law and which had been recognised by courts of law including the Privy Council.

THE DEWAN replied that the Deputy Commissioners would not support *mamool* for its own sake. They had to safeguard the rights of other communities also and see that there was no breach of the peace.

MR. G. CHANNAPPA observed that the use of water might be prohibited in the name of *mamool* in cases where no restrictions existed from the beginning but where the depressed classes themselves were for any reason not actually using it for some length of time.

MR. G. GIRIMAJI RAO did not support the resolution as he was sure that there would be a breach of the peace by the enactment and enforcement of legislation for the abolition of untouchability.

MR. J. MAHOMED IMAM, in opposing the resolution, observed that more than three-fourths of the people would not support legislative interference in a matter like the abolition of untouchability. It was a matter to be taken up by the people themselves and they should win their object by propaganda, education and other persuasive measures. He pointed out that most of the persons speaking in favour of the abolition of untouchability had only lip sympathy; otherwise, he did not know why members of the Assembly should insist upon lunch being served in a separate tent for each community. Further, the safety of the villages should be

looked to before any decision was taken on a matter like this. Though in Bangalore and Mysore Cities there was practically nothing like untouchability, yet in the villages untouchability did exist, and legislative action to abolish it would certainly be detrimental to the peace and harmonious life in the villages. Of course, untouchability must go and if the depressed classes received the benefits of education, learnt clean habits and remained good and honest, untouchability was sure to go automatically. It was for those in real sympathy with the movement to freely go to the depressed classes, mix with them, show them the way to improve and place before them higher and happier ideas of life. So, education was the proper remedy and not legislation. As stated by the Dewan in his opening speech, this was a land of warring creeds and conflicting sectional interests. There were as many religions, castes and creeds as there were people. So, any one law which would apply to all and at the same time secure peace and contentment among them was very difficult of comprehension. In conclusion, he said that legislation was unnecessary, and if Government's aid was invoked in a matter like this, it would only show the incapacity of the people to educate and elevate the depressed classes.

Mr. Puttaswami Gowda also opposed the resolution, and said that legislation on the lines indicated would result in unnecessary dissatisfaction in the villages. After all, he did not consider that untouchability was the result of any special discrimination against the depressed classes. Even as amongst the other communities, there were varying degrees of untouchability. For instance, the high-caste men would not drink water given by low-caste men. But if the same water was mixed with butter milk, they would take it. It was all a question of sentiment which each individual or community valued highly. Further, the depressed classes were never ill-treated because of the untouchability attaching to them. In fact their services were required by other communities in a number of directions. They must grind the ragi, they must pound paddy and they must do a number of other services. They, after all, formed the very backbone of the villages, and without their help the other communities could not pull on. So, untouchability was only an imaginary evil and it would not be correct to say that these unfortunate people were being subjected to any untold hardships on account of the mere accident of birth. They were quite happy and the other communities were moving on most

cordial terms with them. In such circumstances if legislation was introduced, it would only do more harm than good necessitating, probably, the keeping of more police force and adding to the number of cases already pending in courts.

MR. SUBBANNA NAIK, also opposing the resolution, agreed with the views of the previous speakers that legislation was undesirable as it would only lead to fresh troubles. Things would adjust themselves and take their proper places according to their usefulness to society in general. For example, he said there was an Adikarnataka doctor in Chikmagalur from whom a large number of people took medicines. He was not treated as an untouchable at all; he had ceased to be an untouchable because of his usefulness to society.

MR. CHALUVIAH supported the resolution. He did not understand why the depressed classes should be debarred from using water from tanks and wells so long as such distinctions were not made, for example, in hospitals and railways. The position of the depressed classes was most irksome and they did not know whether to remain within the Hindu fold any longer. If they separated themselves from the Hindu fold, the Hindu society would be so much the poorer for it; but if they remained within it, they were treated in a manner which did not conduce to their betterment. They were not admitted either into the houses of high-caste Hindus or even to temples where ordinary stone images were installed. How, then, should their souls be made any the better? They were given absolutely no freedom of movement or action. On the other hand, they were compelled to do things against their will or sentiment. For instance, they were compelled to slaughter buffaloes during jatras. And if they refused to do so, they would be boycotted and punished; at times they would be asked to surrender the lands given to them for cultivation. That showed that even though they wanted to progress, the higher communities themselves stood in the way. It was futile to expect that the elevation of the depressed classes would be brought about by education and propaganda. It was certain that legislation was the only remedy needed at present. For these reasons, the speaker commended the resolution to the acceptance of the Government.

MR. M. P. SOMASEKHARA RAO, in supporting the resolution, observed that he had never expected so much difference of opinion among the members on the resolution. After all, it did not seek to make any radical reform. Theoretically

it had already been recognized that all communities had an equal right to use places of public resort. The only object of the resolution was to obviate the difficulties, arising out of *mamool*, that stood in the way of a certain class of people in actually reaping the benefit of that recognition. It was up to the House, he said, to see that such a harmless cause got its due support from all quarters.

At this stage, the House adjourned for the day to meet again at 12 noon the next day.

As a mark of respect to the memory of Mr. K. H. Ramayya, Registrar of Co-operative Societies, whose sad death occurred on the night of the 5th October 1933, the sitting of the Assembly fixed for the 6th was not held on that day but was adjourned to 12 NOON on the 7th October 1933.